

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION

United States of America,

Plaintiff,

v.

Case #2:23CR00200

Anthony Sims,

Judge Edmund A. Sargus, Jr.

Defendant.

SENTENCING MEMORANDUM ON BEHALF OF ANTHONY SIMS

Now comes the Defendant, Anthony Sims, by and through undersigned counsel, and respectfully submits this Memorandum in advance of sentencing. This submission is offered not to diminish the severity of the offenses or the profound harm inflicted upon the victims, but to provide the Court with a complete and human view of the man who stands before it.

Mr. Sims is 57 years old. As this Court is aware, he has entered into a Rule 11(c)(1)(C) Plea Agreement, accepting full responsibility, and agreeing to a sentencing range of 300 to 600 months. Even a sentence at the low end – 300 months – translates to 25 years in prison. That is not a modest sentence. It is a severe and lengthy term, and for a man of Mr. Sims' age, it is in all likelihood a life sentence. By the time he would be eligible for release under that term, he would be 82 years old, likely in declining health and far removed from the man who committed these offenses.

This case presents a set of facts that are deeply troubling. The victims were young and vulnerable, and the impact on them has been long-lasting and traumatic. This Memorandum does not seek to erase or explain away that harm. But we urge the Court to hold both realities together: the seriousness of the crime; and the

moral imperative that every sentencing, no matter how grave, should leave room for hope.

Federal sentencing law requires courts to consider not only the nature and circumstances of the offense, but also the history and characteristics of the defendant. See 18 U.S.C. §3553(a)(1). Mr. Sims' life history is marked by instability, trauma, addiction, and untreated mental health issues, all of which factored into the path that brought him here. He was first incarcerated for a sex offense at age 22, and he has lived much of his adult life inside institutions. That background helps explain, though not excuse, the conduct that occurred.

As Mr. Sims ages behind bars, his physical decline is inevitable. He will become increasingly susceptible to illness and disability. His risk to society, already low after decades of incarceration, will diminish further. The Bureau of Prisons is not well-equipped to handle geriatric inmates, and long sentences for aging offenders often carry significant cost with very limited public safety benefit.

The Supreme Court has emphasized that dignity and proportionality must inform punishment. "The concept of dignity runs throughout the Eighth Amendment." *Graham v. Florida*, 560 U.S. 48, 59 (2010). A sentence that denies all hope of redemption, change, or reintegration runs contrary to the principles that underlie our system of justice.

Mr. Sims has expressed remorse for his conduct. He has cooperated with the government. He did not proceed to trial, sparing the victims from reliving their trauma in open court. Those decisions reflect, in part, a recognition of the harm done. At his age, there is still an opportunity, even within prison, for reflection, growth, treatment, and spiritual reckoning.

We ask the Court to impose a sentence of 300 months. That sentence is firm, weighty, and appropriate to the offenses. But it also leaves a narrow opening, for dignity, for aging, and for the principle that a human being should not be told, without exception or mercy, that change is impossible.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of June, 2025, I electronically filed the following with the Clerk of the Court, using the CM/ECF System, which will send notification of such filing to the following: Emily Czerniejewski, Assistant U. S. Attorney; and hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: n/a.

/s/Terry K. Sherman, #0002417
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